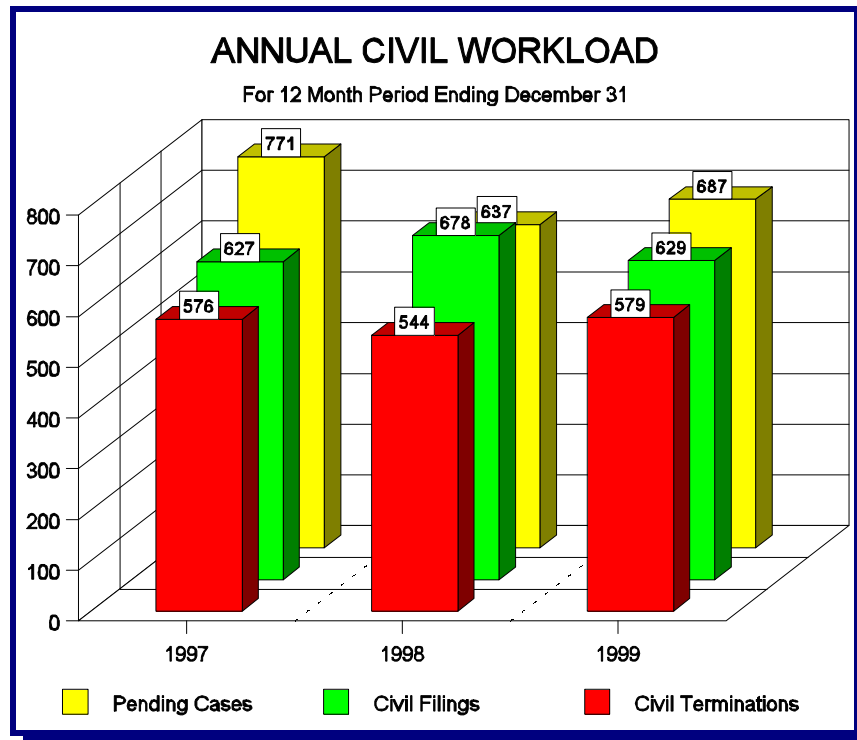


## DISTRICT COURT WORKLOAD

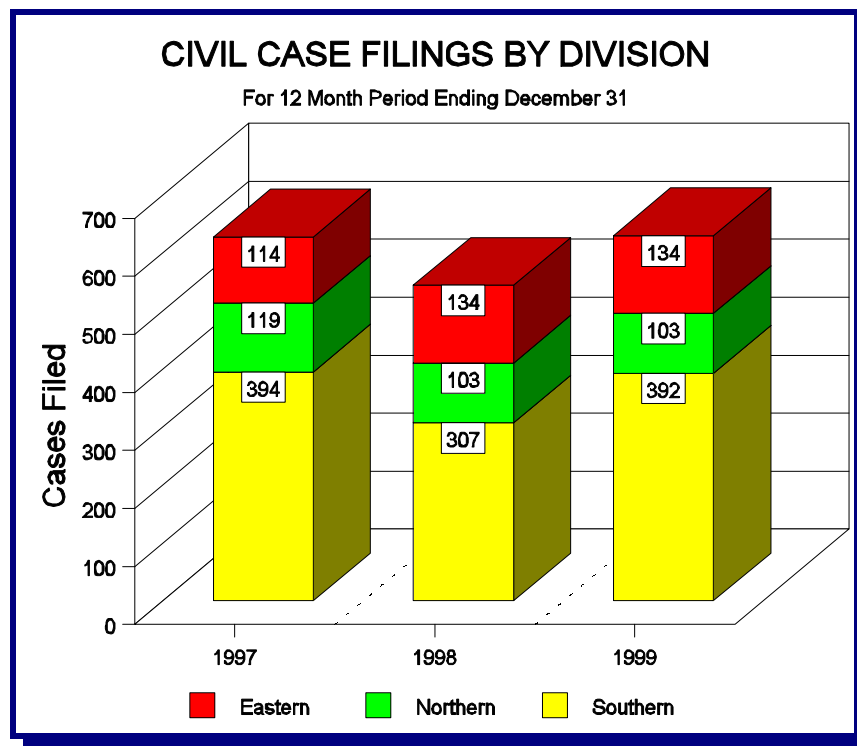
**A. Civil Workload** During 1999, the number of civil filings increased by 16%. Civil terminations decreased by 15% while pending civil cases went up 8%

| <b>Civil Workload</b><br><b>For the 12 Month Period Ending December 31</b> |      |          |      |          |      |
|--|------|----------|------|----------|------|
|  | 1997 | % Change | 1998 | % Change | 1999 |
| Civil Filings  | 627  | -13%     | 544  | 16%      | 629  |
| Civil Terminations   | 576  | 18%      | 678  | -15%     | 579  |
| Pending Civil Cases  | 771  | -17%     | 637  | 8%       | 687  |



**B. Civil Case Filings by Division** The Southern division experienced a 28% increase in civil case filings during 1999. Civil case filings in both the Northern division and Eastern division were virtually identical to the prior year.

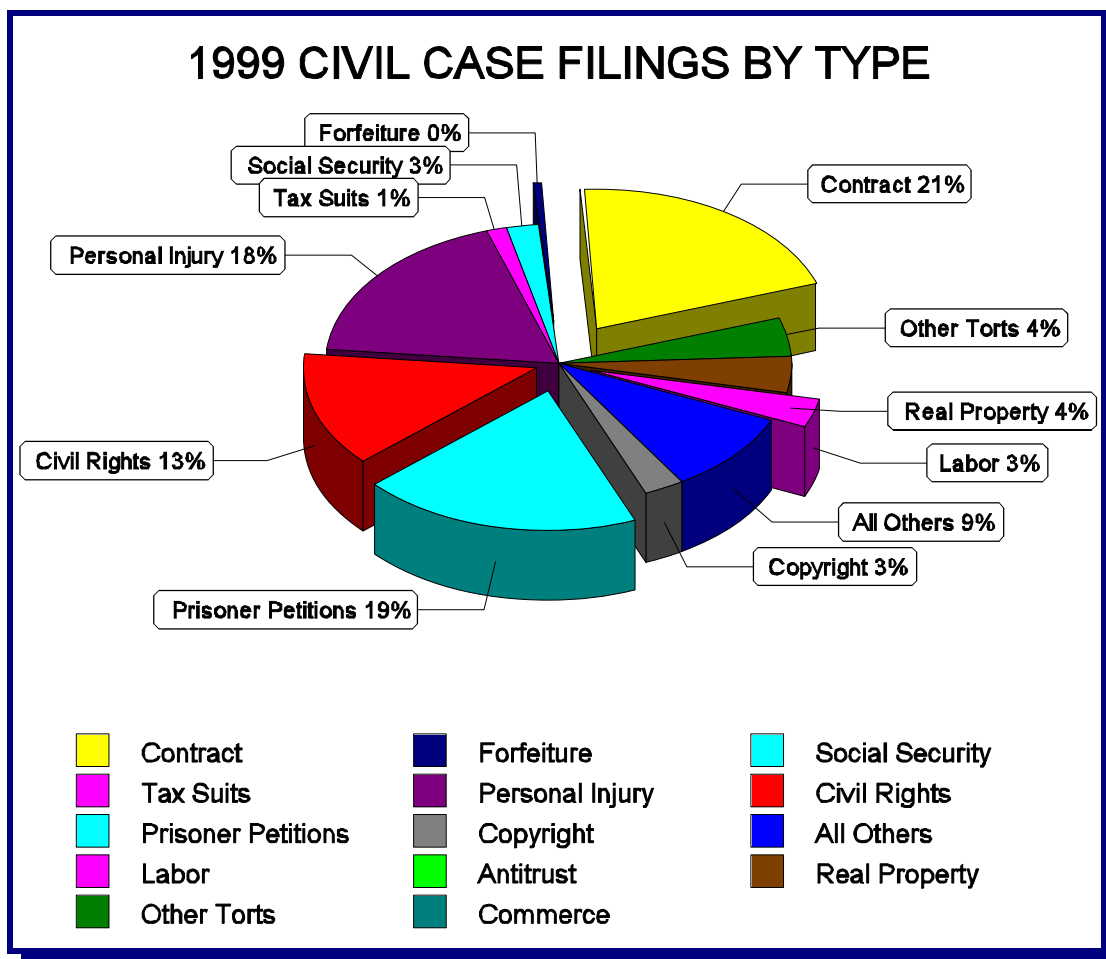
| <b>Civil Filings by Divisional Office</b><br><b>For the 12 Month Period Ending December 31</b> |      |          |      |          |      |
|--|------|----------|------|----------|------|
|  | 1997 | % Change | 1998 | % Change | 1999 |
| Southern   | 394  | -22%     | 307  | 28%      | 392  |
| Northern   | 119  | -13%     | 103  | 0%       | 103  |
| Eastern  | 114  | 18%      | 134  | 0%       | 134  |
| Total  | 627  | -13%     | 544  | 16%      | 629  |



**C. Civil Case Filing Trend by Type**

The total number of private civil cases decreased by 15% during 1999 while the total number of civil cases involving the United States rose by 18%. The most dramatic increase in government civil cases was contract cases, which went up 213%. Government tort actions escalated 36%, prisoner petitions rose by 17% while civil rights cases increased by 9%. The remaining types of government cases all decreased.

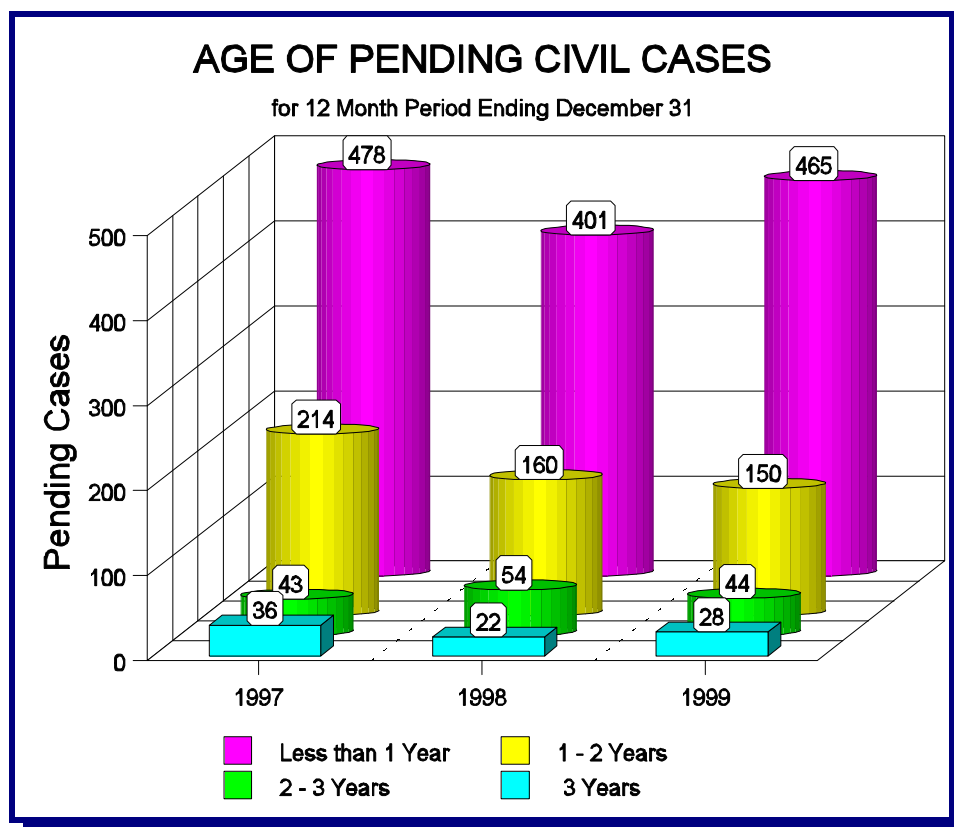
On the private side, contract cases again accounted for the largest increase, 36%, followed by motor vehicle PI cases, which rose by 50% and “other” personal injury cases, which went up 41%. Prisoner petitions experienced a 17% increase. The remaining types of private civil cases reflected a decrease.



| <b>Civil Case Type Filing Trend</b><br><b>For the 12 Month Period Ending December 31</b> |            |             |            |            |            |
|--|------------|-------------|------------|------------|------------|
|  | 1997       | % Change    | 1998       | % Change   | 1999       |
| <b>U.S. Civil Cases</b>  |            |             |            |            |            |
| Contract   | 12         | 25%         | 15         | 213%       | 47         |
| Land Condemnation  | 0          | -           | 0          | -          | 0          |
| Other Real Property  | 16         | 25%         | 20         | 0%         | 20         |
| Tort Actions   | 10         | 40%         | 14         | 36%        | 19         |
| Antitrust  | 0          | -           | 0          | -          | 0          |
| Civil Rights   | 12         | -8%         | 11         | 9%         | 12         |
| Prisoner Petitions   | 27         | -56%        | 12         | 17%        | 14         |
| Forfeitures  | 4          | -50%        | 2          | -50%       | 1          |
| Labor  | 1          | 300%        | 4          | -25%       | 3          |
| Social Security  | 18         | 22%         | 22         | -23%       | 17         |
| Tax Suits  | 5          | 60%         | 8          | 0%         | 8          |
| All Others   | 21         | 48%         | 31         | -26%       | 23         |
| <b>Total U.S. Civil Cases</b>  | <b>126</b> | <b>10%</b>  | <b>139</b> | <b>18%</b> | <b>164</b> |
| <b>Private Civil Cases</b>   |            |             |            |            |            |
| Contract   | 79         | -23%        | 61         | 38%        | 84         |
| Other Real Property  | 9          | 0%          | 9          | -11%       | 8          |
| FELA   | 1          | 200%        | 3          | -67%       | 1          |
| Marine Personal Property   | 2          | -50%        | 1          | -100%      | 0          |
| Motor Vehicle Personal Injury  | 19         | -37%        | 12         | 50%        | 18         |
| Other Personal Injury  | 35         | 94%         | 68         | 41%        | 96         |
| Other Torts  | 15         | -60%        | 6          | 33%        | 8          |
| Antitrust  | 1          | 100%        | 2          | -100%      | 0          |
| Civil Rights   | 72         | 3%          | 74         | -3%        | 72         |
| Commerce   | 0          | -           | 1          | -100%      | 0          |
| Prisoner Petitions   | 186        | -51%        | 92         | 17%        | 108        |
| Copyright  | 17         | 0%          | 17         | 0%         | 17         |
| Labor  | 23         | -26%        | 17         | 6%         | 18         |
| All Others   | 42         | 0%          | 42         | -17%       | 35         |
| <b>Total Private Civil Cases</b>   | <b>501</b> | <b>-19%</b> | <b>405</b> | <b>15%</b> | <b>465</b> |
| <b>Total Civil Cases</b>   | <b>627</b> | <b>-13%</b> | <b>544</b> | <b>16%</b> | <b>629</b> |

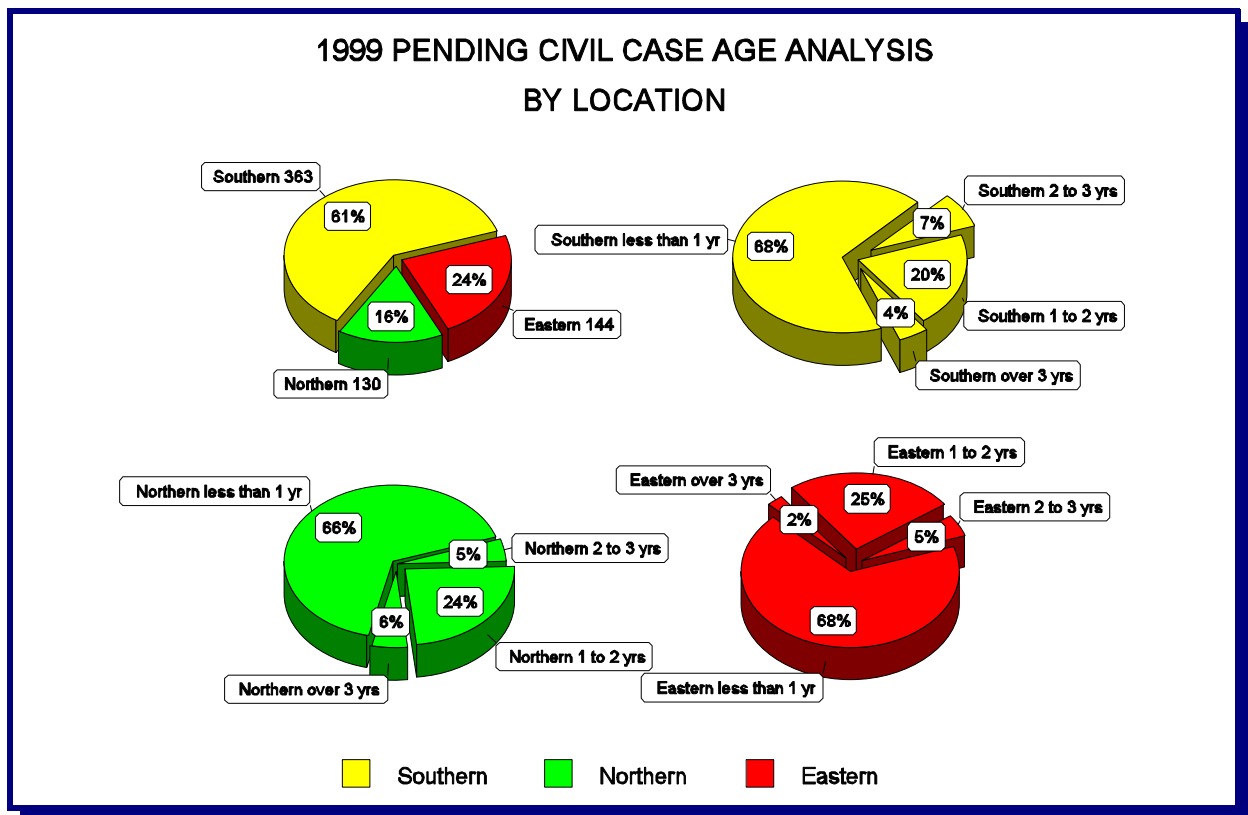
**D. Pending Civil Case Age Analysis** There was an 8% increase overall in the total number of civil cases pending at the end of 1999 from the previous year. Civil cases pending over three years rose 27% while civil cases less than one year old went up 16%. Conversely, civil cases pending from two to three years dropped by 19% and civil cases pending from one to two years decreased by 6%.

| Pending Civil Case Age Analysis<br>For the 12 Month Period Ending December 31 |      |          |      |          |      |
|---|------|----------|------|----------|------|
|   | 1997 | % Change | 1998 | % Change | 1999 |
| Over 3 Years Old  | 36   | -39%     | 22   | 27%      | 28   |
| 2 to 3 Years Old  | 43   | 26%      | 54   | -19%     | 44   |
| 1 to 2 Years Old  | 214  | -25%     | 160  | -6%      | 150  |
| Less than 1 Year Old  | 478  | -16%     | 401  | 16%      | 465  |
| Total Pending   | 771  | -17%     | 637  | 8%       | 687  |



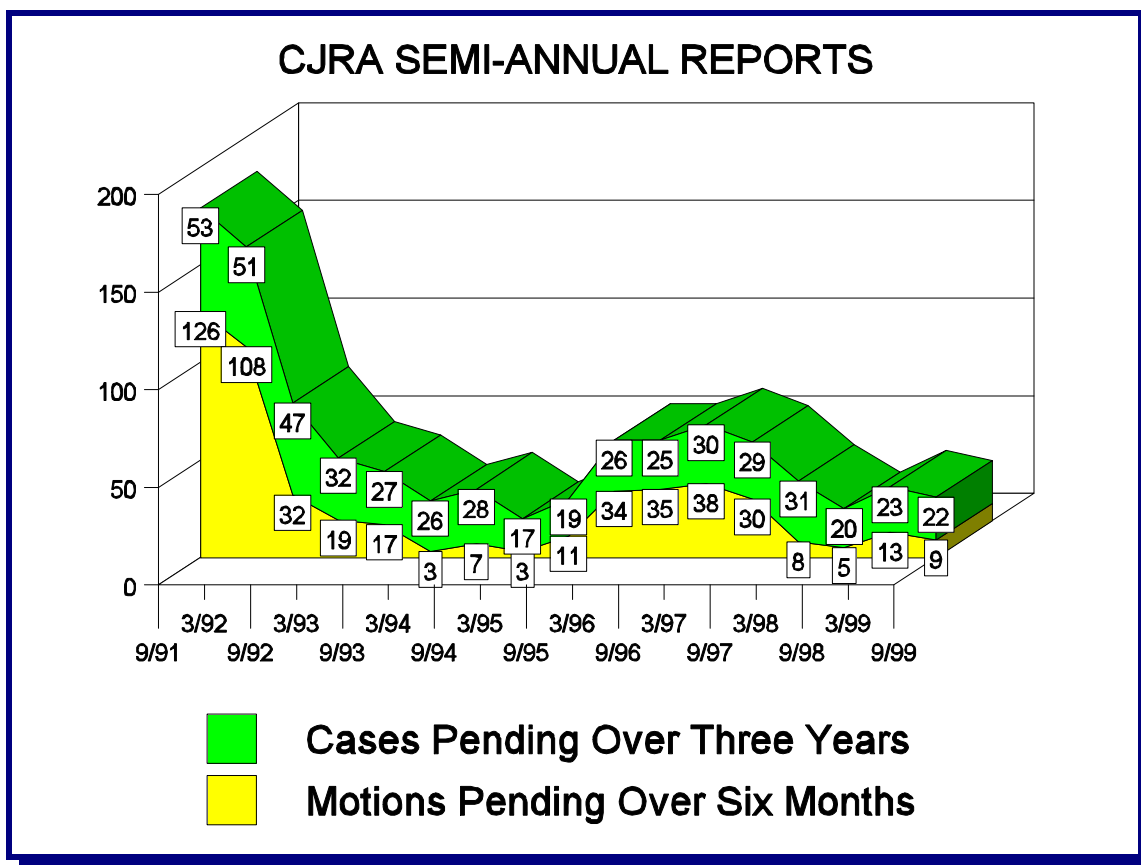
Although the overall number of cases pending at year-end 1999 increased in the Southern division, the percentage of pending cases over one year old decreased in every category. In fact, the percentage of pending cases between two and three years old dropped across the board for each of the three divisions.

| Pending Civil Case Age Analysis by Location<br>For the 12 Month Period Ending December 31 |          |     |          |     |         |     |          |     |          |     |         |     |
|---|----------|-----|----------|-----|---------|-----|----------|-----|----------|-----|---------|-----|
|   | 1998     |     |          |     |         |     | 1999     |     |          |     |         |     |
|   | Southern |     | Northern |     | Eastern |     | Southern |     | Northern |     | Eastern |     |
| Over 3 Years Old  | 17       | 5%  | 3        | 2%  | 2       | 1%  | 18       | 4%  | 6        | 6%  | 4       | 2%  |
| 2 to 3 Years Old  | 31       | 9%  | 13       | 10% | 10      | 7%  | 31       | 7%  | 5        | 5%  | 8       | 5%  |
| 1 to 2 Years Old  | 95       | 26% | 34       | 26% | 33      | 23% | 84       | 20% | 26       | 24% | 40      | 25% |
| Less than 1 Year  | 220      | 61% | 80       | 62% | 99      | 69% | 284      | 68% | 71       | 66% | 110     | 68% |
| Total Pending   | 363      |     | 130      |     | 144     |     | 417      |     | 108      |     | 162     |     |



**E. CJRA Semi-Annual Reports Summary**

The amount of motions pending for more than six months increased sharply and then dropped during the two semi-annual reporting periods in 1999. This wild fluctuation is caused by the relatively low starting number. The number of cases over three years old remained basically constant. Since the inception of the mandatory CJRA semi-annual reports in September 1991, the District of Idaho has reduced the amount of motions pending for more than six months by 93%. Likewise, during that same time frame, the number of civil cases pending for more than three years has decreased by over 58%.

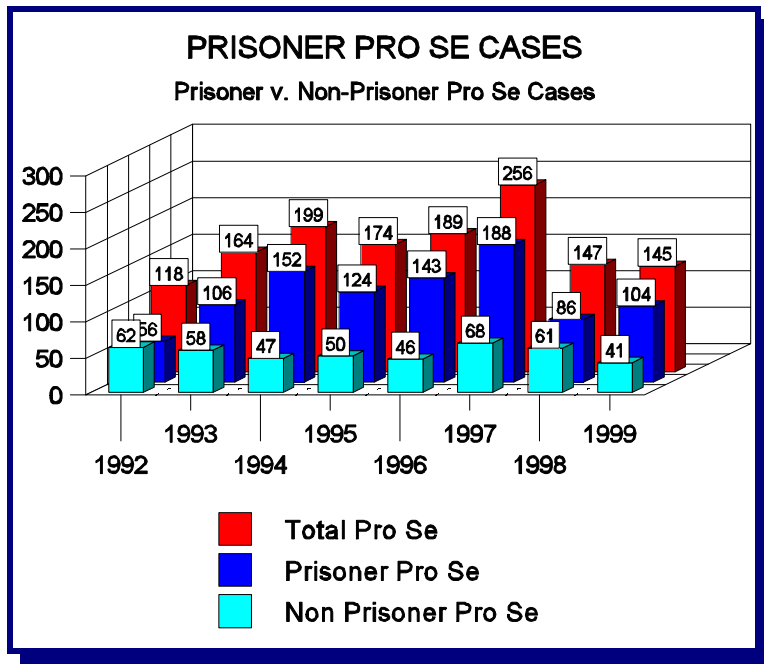
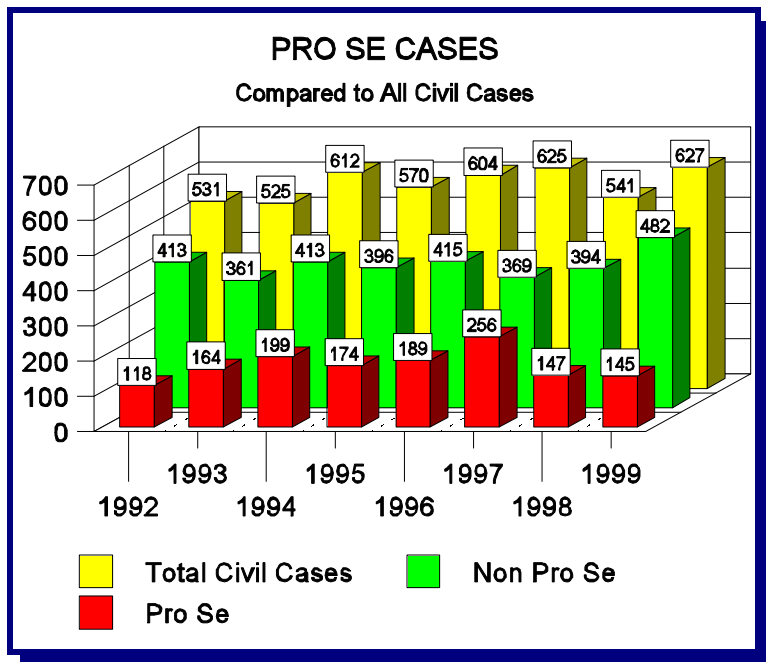


| Comparison of CJRA Semi-Annual Reports |                               |  |                            |                     |
|--|-------------------------------|--|----------------------------|---------------------|
| Report Date                            | Motions Pending over 6 Months |  | Cases Pending over 3 Years | Bankruptcy Appeals* |
| 9/30/91                                | 126                           |  | 53                         |                     |
| % Change                               | -14%                          |  | -4%                        |                     |
| 3/31/92                                | 108                           |  | 51                         |                     |
| % Change                               | -70%                          |  | -8%                        |                     |
| 9/30/92                                | 32                            |  | 47                         |                     |
| % Change                               | -41%                          |  | -32%                       |                     |
| 3/31/93                                | 19                            |  | 32                         |                     |
| % Change                               | -11%                          |  | -16%                       |                     |
| 9/30/93                                | 17                            |  | 27                         |                     |
| % Change                               | -82%                          |  | -4%                        |                     |
| 3/31/94                                | 3                             |  | 26                         |                     |
| % Change                               | 133%                          |  | 8%                         |                     |
| 9/30/94                                | 7                             |  | 28                         |                     |
| % Change                               | -57%                          |  | -39%                       |                     |
| 3/31/95                                | 3                             |  | 17                         |                     |
| % Change                               | 267%                          |  | 12%                        |                     |
| 9/30/95                                | 11                            |  | 19                         |                     |
| % Change                               | 209%                          |  | 37%                        |                     |
| 3/31/96                                | 34                            |  | 26                         |                     |
| % Change                               | 3%                            |  | -4%                        |                     |
| 9/30/96                                | 35                            |  | 25                         |                     |
| % Change                               | 9%                            |  | 20%                        |                     |
| 3/31/97                                | 38                            |  | 30                         |                     |
| % Change                               | -21%                          |  | -3%                        |                     |
| 9/30/97                                | 30                            |  | 29                         |                     |
| % Change                               | -73%                          |  | 7%                         |                     |
| 3/31/98                                | 8                             |  | 31                         |                     |
| % Change                               | -38%                          |  | -35%                       |                     |
| 9/30/98                                | 5                             |  | 20                         |                     |
| % Change                               | 160%                          |  | 15%                        |                     |
| 3/31/99                                | 13                            |  | 23                         | 1                   |
| % Change                               | -31%                          |  | -4%                        | -100%               |
| 9/30/99                                | 9                             |  | 22                         | 0                   |

\* Bankruptcy appeals pending over six months were reported for the first time as of March 31, 1999.

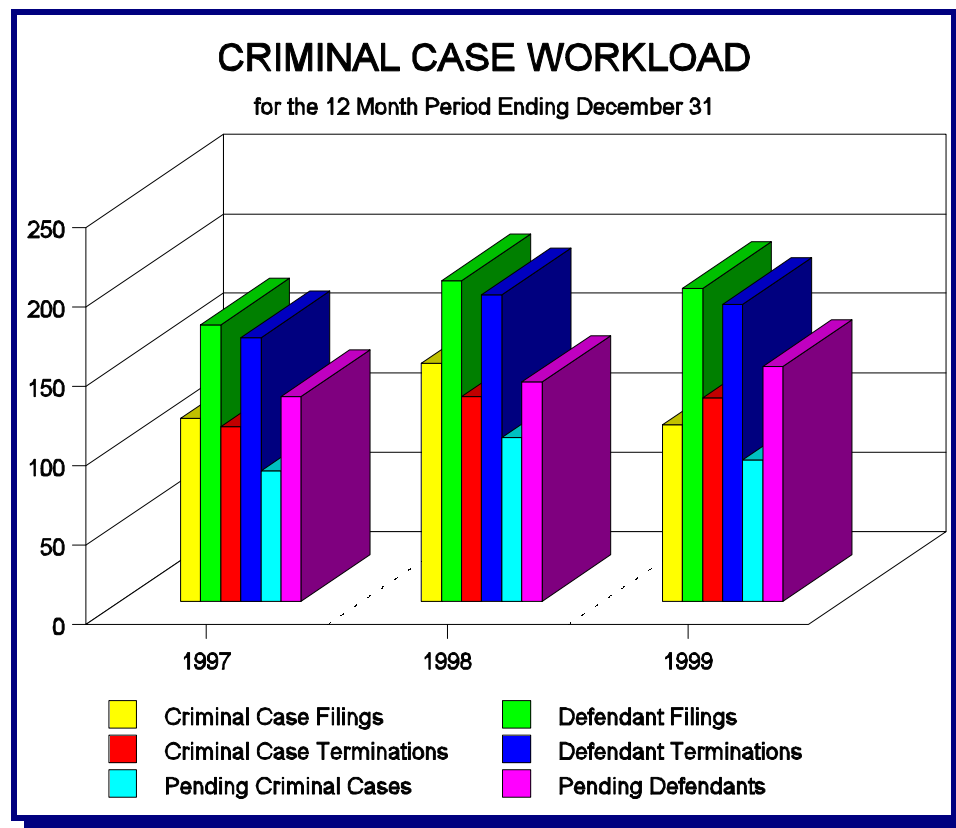


**F. Pro Se Cases** During 1999, pro se filings accounted for approximately 23% of all civil filings. This percentage figure is down slightly from the previous year. In fact, the total number of pro se filings is at its lowest point since 1992. However, prisoner pro se filings comprised 71% of all pro se filings, which is a fairly significant increase from 1998, when prisoner filings accounted for only 58% of all pro se cases.



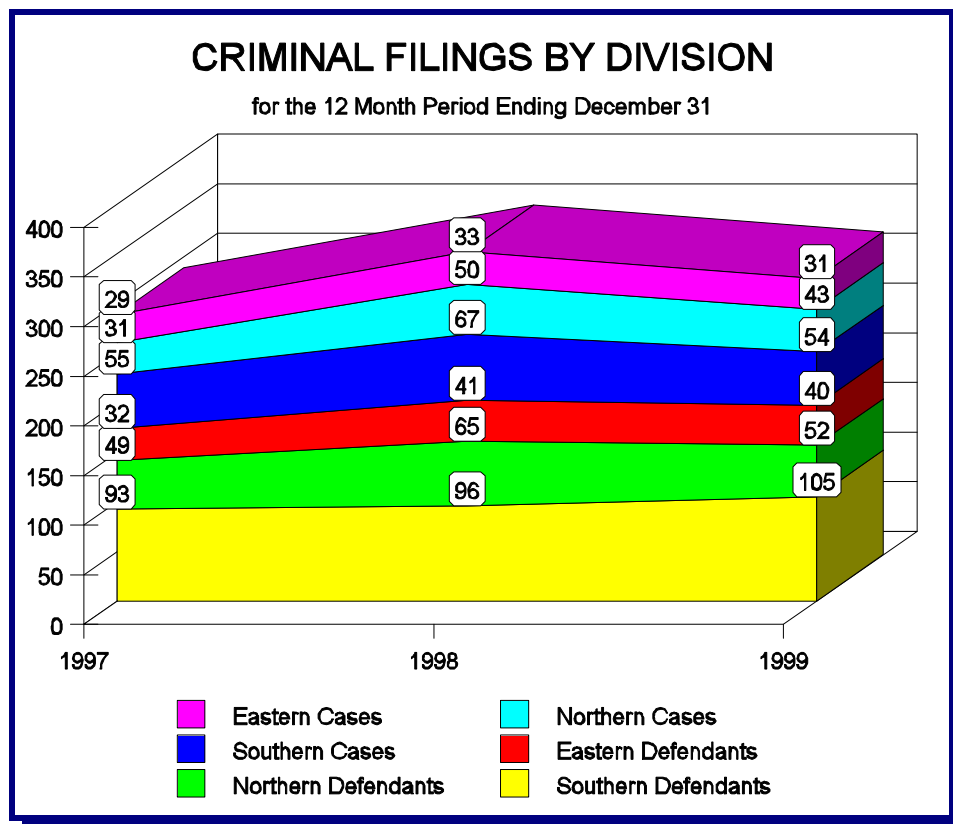
**G. Criminal Workload** Criminal case openings decreased 15% during 1999 while criminal defendant filings dropped by a modest 2%. Criminal case terminations rose by 10% while criminal defendant terminations went down 3%. Pending criminal cases declined by 14% and pending criminal defendants increased 7%.

| <b>Criminal Workload</b><br><b>For the 12 Month Period Ending December 31</b> |      |          |      |          |      |
|---|------|----------|------|----------|------|
|   | 1997 | % Change | 1998 | % Change | 1999 |
| Criminal Case Filings   | 115  | 30%      | 150  | -15%     | 128  |
| Defendant Filings   | 174  | 16%      | 202  | -2%      | 197  |
| Criminal Case Terminations  | 110  | 17%      | 129  | 10%      | 142  |
| Defendant Terminations  | 166  | 16%      | 193  | -3%      | 187  |
| Pending Criminal Cases  | 82   | 26%      | 103  | -14%     | 89   |
| Pending Criminal Defendants   | 129  | 7%       | 138  | 7%       | 148  |



**H. Criminal Case Filings by Divisional Office** There was an “across the board” drop in criminal case openings in all divisions, including a 19% dip in the Southern division (Boise), a 14% decrease in the Northern division (Moscow & Coeur d’Alene), and a 6% decline in the Eastern division (Pocatello). However, criminal defendants actually rose by 9% in the Southern division.

| Criminal Filings by Divisional Office<br>For the 12 Month Period Ending December 31 |            |      |             |      |             |      |
|---|------------|------|-------------|------|-------------|------|
|   |            | 1997 | %<br>Change | 1998 | %<br>Change | 1999 |
| Southern  | Cases      | 55   | 22%         | 67   | -19%        | 54   |
|   | Defendants | 93   | 3%          | 96   | 9%          | 105  |
| Northern  | Cases      | 31   | 61%         | 50   | -14%        | 43   |
|   | Defendants | 49   | 33%         | 65   | -20%        | 52   |
| Eastern   | Cases      | 29   | 14%         | 33   | -6%         | 31   |
|   | Defendants | 32   | 28%         | 41   | -2%         | 40   |
| Total   | Cases      | 115  | 30%         | 150  | -15%        | 128  |
|   | Defendants | 174  | 16%         | 202  | -2%         | 197  |

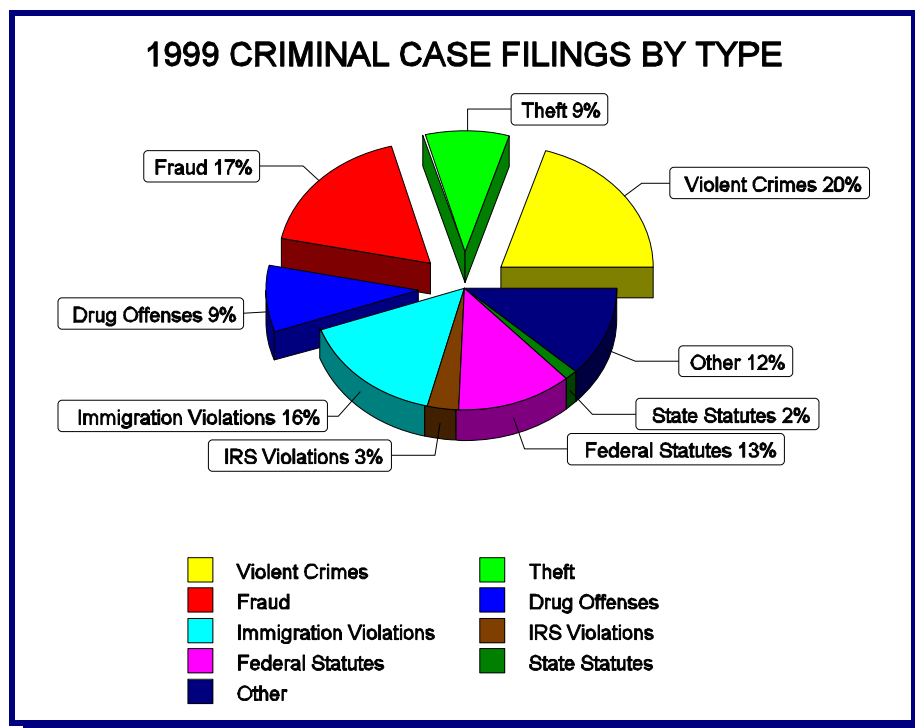


**I. Criminal Case Filing Trend by Type** With the exception of fraud, which went up 22%, and immigration violations, which increased 25%, every other type of criminal case filing went down during 1999. The most significant decreases were state statutes, which went 80% and federal statutes, which dropped 41%. Drug offenses declined 31% while theft dipped 20%.

| <b>Criminal Case Filings by Type</b><br><b>For the 12 Month Period Ending December 31</b> |            |            |            |             |            |
|---|------------|------------|------------|-------------|------------|
|   | 1997       | % Change   | 1998       | % Change    | 1999       |
| Violent Crimes  | 19         | 68%        | 32         | -19%        | 26         |
| Theft   | 15         | 0%         | 15         | -20%        | 12         |
| Fraud   | 20         | -10%       | 18         | 22%         | 22         |
| Drug Offenses   | 14         | 14%        | 16         | -31%        | 11         |
| Immigration Violations  | 11         | 45%        | 16         | 25%         | 20         |
| IRS Violations  | 8          | -100%      | 0          | -           | 4          |
| Federal Statutes*   | 17         | 59%        | 27         | -41%        | 16         |
| State Statutes**  | 0          | -          | 10         | -80%        | 2          |
| Other   | 11         | 45%        | 16         | -6%         | 15         |
| <b>Totals</b>   | <b>115</b> | <b>30%</b> | <b>150</b> | <b>-15%</b> | <b>128</b> |

\* Includes obscene mail, migratory birds, agriculture and national defense crimes.

\*\* Includes DUIs (driving under the influence) and other driving related crimes.



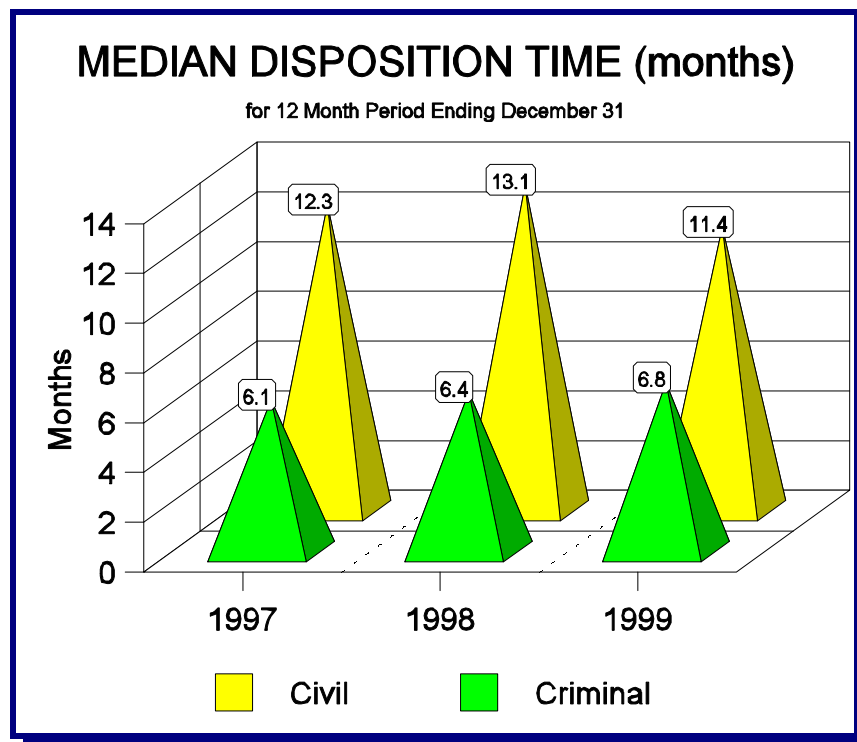
**J. Median Disposition Time**

During 1999, the median disposition time for civil case decreased by 13% while the median disposition time for criminal cases went up 6%.

| Median Disposition Time (months)<br>For the 12 Month Period Ending December 31 |      |             |      |             |      |
|--|------|-------------|------|-------------|------|
|  | 1997 | %<br>Change | 1998 | %<br>Change | 1999 |
| Civil  | 12.3 | 7%          | 13.1 | -13%        | 11.4 |
| Criminal   | 6.1  | 5%          | 6.4  | 6%          | 6.8  |

Civil = all civil cases excluding land condemnations, prisoner petitions, recovery of over payments, enforcement of judgments and deportation reviews.

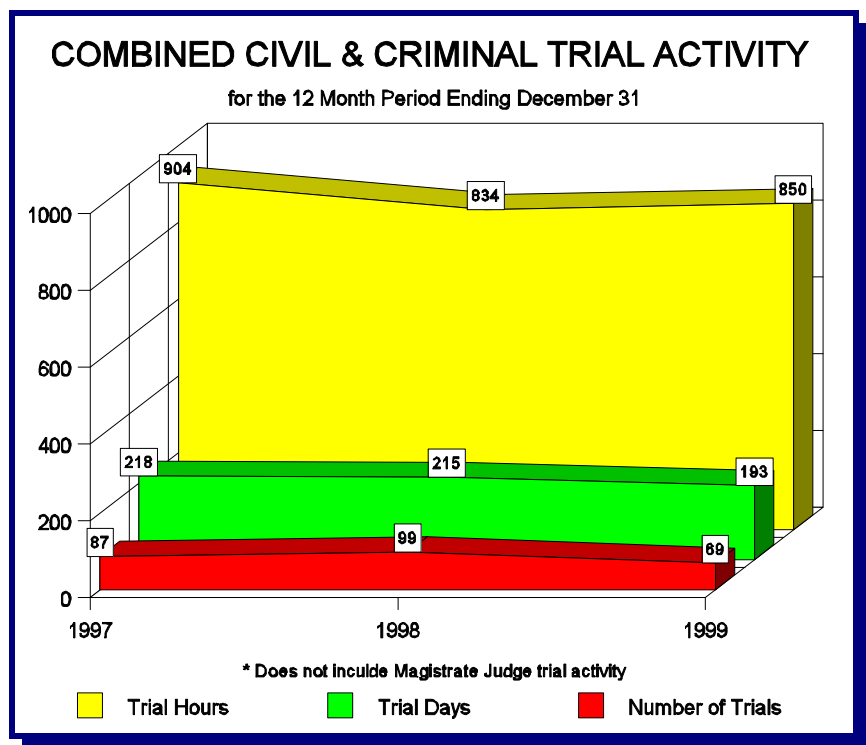
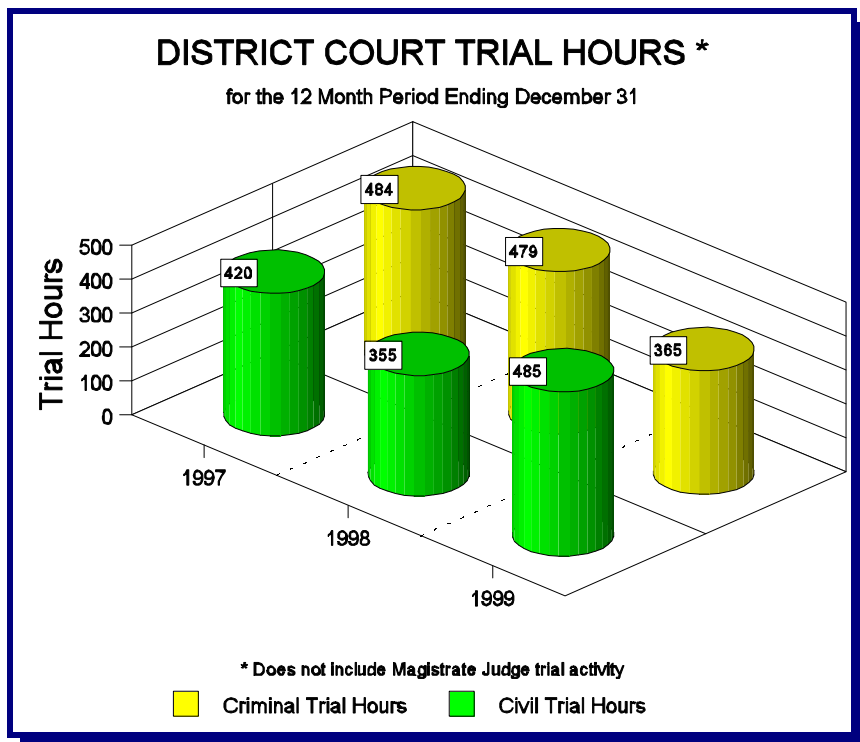
Criminal = criminal felony defendants disposed of or sentenced.



**K. District Court Trial Activity** During 1999, the total number of civil and criminal trials decreased by 30%, the number of combined days in trials dropped by 10% while the number of combined hours in trial rose by 2%. The most significant increase was in the number of hours in civil trials, which went up 37%. Likewise, the number of days spent in civil trials rose 25% while the number of civil trials decreased by 21%. The number of criminal trials decreased by 34%. The number of days in criminal trials went down 30% while the hours in criminal trials dropped 24%.

| <b>District Court Judge Trial and Hearing Activity*</b><br><b>For the 12 Month Period Ending December 31</b> |      |          |      |          |      |
|--|------|----------|------|----------|------|
|  | 1997 | % Change | 1998 | % Change | 1999 |
| <b>Civil</b>   |      |          |      |          |      |
| Number of Trials   | 20   | 45%      | 29   | -21%     | 23   |
| Days in Trial  | 86   | -10%     | 77   | 25%      | 96   |
| Hours in Trial   | 420  | -15%     | 355  | 37%      | 485  |
| <b>Criminal</b>  |      |          |      |          |      |
| Number of Trials   | 67   | 4%       | 70   | -34%     | 46   |
| Days in Trial  | 132  | 5%       | 138  | -30%     | 97   |
| Hours in Trial   | 484  | -1%      | 479  | -24%     | 365  |
| <b>Total Civil &amp; Criminal</b>  |      |          |      |          |      |
| Number of Trials   | 87   | 147%     | 215  | -10%     | 193  |
| Days in Trial  | 218  | 283%     | 834  | 2%       | 850  |
| Hours in Trial   | 904  | -8%      | 834  | 2%       | 850  |
| Trips to Divisions   | 47   | 6%       | 50   | -12%     | 44   |
| <b>Non-Trial Hearings<br/>(Combined Civil &amp; Criminal)</b>  |      |          |      |          |      |
| Hearing Hours  | 291  | -6%      | 274  | 10%      | 302  |
| Hearing Days   | 206  | -4%      | 197  | -4%      | 190  |

\* Does not include Magistrate Judge trial and hearing activity statistics.



**L. District Court Trial Activity by Divisional Office** The Southern division (Boise) experienced an “across the board” decrease in total number of trials, trial days and trial hours. Conversely, the Eastern division (Pocatello) experienced a 44% rise in the total number of trials and triple digit increases in combined trial days and hours. Likewise, the Northern division (Coeur d’Alene & Moscow) reflected a 76% increase in combined trial hours and increases in both the number of combined civil and criminal trials as well as combined trials days.

| <b>District Court Judge Trial Activity by Divisional Office*</b><br><b>For the 12 Month Period Ending December 31</b> |       |       |      |       |       |      |       |       |      |
|---|-------|-------|------|-------|-------|------|-------|-------|------|
|   | 1997  |       |      | 1998  |       |      | 1999  |       |      |
|   | South | North | East | South | North | East | South | North | East |
| <b>Civil</b>  |       |       |      |       |       |      |       |       |      |
| Number of Trials  | 14    | 3     | 3    | 18    | 2     | 9    | 9     | 7     | 7    |
| Days in Trial   | 57    | 17    | 12   | 47    | 5     | 25   | 54    | 16    | 26   |
| Hours in Trial  | 264   | 98    | 59   | 222   | 21    | 113  | 277   | 82    | 126  |
| <b>Criminal</b>   |       |       |      |       |       |      |       |       |      |
| Number of Trials  | 41    | 10    | 16   | 44    | 19    | 7    | 15    | 15    | 16   |
| Days in Trial   | 89    | 13    | 30   | 103   | 25    | 10   | 30    | 23    | 44   |
| Hours in Trial  | 337   | 38    | 109  | 379   | 66    | 34   | 106   | 71    | 188  |
| <b>Total Civil and Criminal</b>   |       |       |      |       |       |      |       |       |      |
| Number of Trials  | 55    | 13    | 19   | 62    | 21    | 16   | 24    | 22    | 23   |
| Days in Trial   | 146   | 30    | 42   | 150   | 30    | 35   | 84    | 39    | 70   |
| Hours in Trial  | 601   | 136   | 168  | 601   | 87    | 147  | 383   | 153   | 314  |
| Trips to Divisions  | k 32  | 15    | 0    | k 34  | 15    | 1    | k 23  | 20    | 1    |
| <b>Other Activity</b>   |       |       |      |       |       |      |       |       |      |
| Hours Non-Trial   | 183   | 34    | 74   | 184   | 32    | 58   | 113   | 56    | 84   |
| Separate Days   | 133   | 21    | 52   | 133   | 22    | 42   | 100   | 29    | 61   |

\* Does not include Magistrate Judge trial and hearing activity statistics.

k Judge Winmill’s official duty station is Pocatello.